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September 1, 2006

Via Facsimile (703) 787-1546

Department of the Interior
Minerals Management Service
Attention: Rules Processing Team
381 Elden Street, MS-4024
Herndon, Virginia 20170-4817

Subject: RIN 1010-AD18

Gentlemen:

Texas Oil and Gas Association (TxOGA) appreciates the opportunity to comment on the subject Minerals Management Service (MMS) proposed amendment to its regulations.

The proposed rule would add several requirements to subpart I, Platforms and Structures; however, it is unclear as to which requirements apply exclusively to platforms, and which are applicable to pipelines. TxOGA requests that Section 250.919 be clarified, to clearly exclude pipelines from the requirement to submit a comprehensive annual in-service inspection plan for platforms.

TxOGA supports the current MMS practice of issuing NTLs for required post-hurricane reporting. In our opinion, the proposed post-hurricane weekly damage reports would not add value for pipeline operators or the MMS. The weekly "Facility/Equipment Damage" reporting using the draft form MMS-143 (not provided with the proposed rule) would not provide MMS with any new or additional information.

The additional documentation required by the proposed rule would make it difficult for the MMS to respond to the large amount of information they would obtain as a result of this rulemaking. During the Katrina and Rita events, 167 platforms sustained some sort of damage or were destroyed, making it difficult for the MMS to keep up with the weekly damage reports. In addition the proposed regulation requires lessees, lease operators, and pipeline right-of-way holders to each report, potentially tripling the amount of reporting.

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TxOGA requests the MMS clarify whether form MMS-143 will be required in addition to, or in lieu of, the eWell reporting system. A paper report should not be required in addition to electronic reporting.

Section 250.920(d) requires obtaining approval from the Regional Supervisor for mitigation actions. We interpret "mitigation" as responding to an incident/pending incident to lessen its severity. No evidence has been provided to indicate it would be prudent to wait for approval before initiating mitigation actions. It is also requested the MMS clarify whether this section is applicable to platforms and/or pipelines.

TXOGA appreciates the opportunity to comment on this proposal. Please contact me if you have any questions or require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Seabree', with a stylized flourish at the end.

Ben Seabree
Vice President for Governmental Affairs